

ECF CASE
JUDGE KOELTL

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

J & J SPORTS PRODUCTIONS, INC., as
Broadcast Licensee of the **May 5, 2007**
DeLaHoya/Mayweather Program,
Plaintiff,

-against-

AFFIDAVIT IN SUPPORT OF REQUEST FOR DEFAULT

Civil Action No. 07-CV-6529-JGK-KNF
HON. JOHN G. KOELTL

TEODORO SHULTERBRON, Individually, and as officer, director, shareholder and/or principal of THINK INC. d/b/a THEO'S THINK INC. SPORTS a/k/a THEO'S SPORTS BAR,

and

THINK INC. d/b/a THEO'S THINK INC. SPORTS
a/k/a THEO'S SPORTS BAR

Defendants.

STATE OF NEW YORK :
: SS.:
COUNTY OF ULSTER :

JULIE COHEN LONSTEIN, being duly sworn, deposes and says:

1. That I am the attorney for plaintiff, **J & J SPORTS PRODUCTIONS, INC.**, in the above referenced matter and I am admitted to practice in this Court. I am fully familiar with all the facts, circumstances and proceedings heretofore had herein.

2. This action was commenced pursuant to 47 U.S.C. §605, *et seq.* A copy of the Summons and Complaint was served on Defendant, **TEODORO SHULTERBRON, Individually, and as officer, director, shareholder and/or principal of THINK INC. d/b/a THEO'S THINK INC. SPORTS a/k/a THEO'S SPORTS BAR**, as set forth in the proof of service by Noel B. Glastein, ECF Document No. 3 **and THINK INC. d/b/a THEO'S THINK INC. SPORTS a/k/a THEO'S SPORTS BAR**, as set forth in the proof of service by Jessica

Miller, ECF Document number 4.

3. The time within which any of the Defendants may answer or otherwise move with respect to the Complaint herein has expired. Defendants **TEODORO SHULTERBRON, Individually, and as officer, director, shareholder and/or principal of THINK INC. d/b/a THEO'S THINK INC. SPORTS a/k/a THEO'S SPORTS BAR, and THINK INC. d/b/a THEO'S THINK INC. SPORTS a/k/a THEO'S SPORTS BAR**, while the Defendants appeared at the November 2, 2007, Order to Show Cause for Default Judgment, where the Honorable John G. Koeltl granted an extension of time to answer until November 30, 2007, Defendants have not answered or otherwise moved with respect to the Complaint; and the time for the Defendant(s) to do so has not been extended.

4. Said Defendant(s) are not infants or incompetents. Upon information and belief, Defendant(s) are not presently in the military service of the United States.

WHEREFORE, Plaintiff **J & J SPORTS PRODUCTIONS, INC.**, requests that the default of the Defendant(s) **TEODORO SHULTERBRON, Individually, and as officer, director, shareholder and/or principal of THINK INC. d/b/a THEO'S THINK INC. SPORTS a/k/a THEO'S SPORTS BAR, and THINK INC. d/b/a THEO'S THINK INC. SPORTS a/k/a THEO'S SPORTS BAR**, be noted and that judgment be entered in favor of plaintiff and against defendants in the manner stated herein.

Dated: March 6, 2008
Ellenville, NY 12428

Sworn to before me this 6th
day of March 2008

/S/ Julie Cohen Lonstein
Julie Cohen Lonstein
Bar Roll No. JL8512

/s/ April Draganchuk
April Draganchuk
Notary Public State of New York
Registration No. 4945872
Residing in Ulster County
My Commission Expires Jan. 27, 2011